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Cramer's 9 to 4:30

1-Shot Appeal Plan OK'd

By John Cramer
Star-News Staff Writer

President Nixon issued an executive order yesterday authorizing a new, one-shot appeals system for federal employees caught in adverse actions — firings, suspensions, demotions and the like.

The Civil Service Commission, which proposed the new system, hopes it will cut average time for final decision on appeals from the present unpleasant 300 days to 90 or less.

The order will take effect in 90 days.

UNDER IT:

- Agency adverse action appeals systems, which now permit two or even three different appeals levels, will be eliminated.
- The present CSC system, which now ordinarily permits an additional appeal to a hearing examining officer plus a second to the CSC Board of Appeals and Review, likewise will be wiped out.
- The CSC Board of Appeals and Review will be abolished but replaced by a new Appeals Review Board with limited authority.
- Employees will continue to receive 30-day advance notice of proposed adverse action.
- Hearings on their appeals will be conducted by specially-trained hearing officers, whose decisions in most cases will be final.
- The hearings will offer all the due process provided by the present system, but little more. Agencies will continue, for example, to have the right to withhold witnesses requested by employees. There will be no right to subpoena.
- Hearing examiners will report direct to the CSC. Now they report to CSC regional directors, and this too often tends to bend their decisions in management's direction.
- Employees (and agencies) will have the right to appeal some — not too many — hearing examiner decisions to the new Appeals Review Board.
- The three Civil Service commissioners will retain their present right to reconsider review board decisions, which, in their view, involve major policy issues.
- Agencies will retain their authority to finalize adverse action in advance of a final CSC decision on his appeal. Decision before final action was one of the

things federal unions wanted most, but didn't get, in the new system.

All in all, it should be an improvement. Not the best of all systems, and in a couple of ways deficient in due process. But better — let's hope — than what we have now.

THE HOUSE EMPLOYEE Benefits subcommittee, headed by Rep. Jerome Waldie, D-Calif., held hearings yesterday on a sure-to-pass bill intended to improve the financial position of the Civil Service Retirement Fund.

It would:

- Revise the present formula under which U.S. agencies re-hire retired federal workers. Now, the retiree draws his retirement annuity plus enough extra from the agency to make up the full salary of his job. Result is that agencies save by hiring retirees — at the expense of the Retirement Fund. The new bill would require them to reimburse the fund for the employee's annuity.
 - Discontinue the annuities of retired members of Congress appointed by the President for periods of service in jobs which do not require Senate confirmation.
- The bill has the support of the administration and federal unions. It would breeze to easy passage.

SEN. CHARLES McC. Mathias Jr., R-Md., says he will put a new bill in soon to protect federal workers against downgradings resulting from job reclassifications.

They now are guaranteed against loss of salary for two years.

The pending Mathias bill, similar but not identical to one pending in the House, would provide that an employee whose job is not downgraded during the first three years he holds it will be protected against downgrading as long as he holds it.

"This," Mathias says, "will provide ample opportunity to discover and correct genuinely mistaken job classifications without subjecting federal employees to a lifetime of uncertainty wondering if their jobs are going to be downgraded."

NAVY'S "TRADE TALK" asks if you can top the record of Pipefitter Lee J. Rizzo, Portsmouth, N.H., Naval Shipyard who recently got a \$115 economy suggestion award for proposing a faster way to assemble certain submarine components at an annual saving to the government of \$1,255.

It was his 80th award, bringing him a total of \$4,621.50 for savings estimated at \$35,726.

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